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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLARENCE COURTNEY,

Defendant.

CASE NO. 2:20-CR-00241-TLN

STIPULATION TO SET STATUS CONFERENCE
AND EXCLUDE TIME PERIODS UNDER
SPEEDY TRIAL ACT; ORDER

DATE: March 9, 2023
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

1. By previous order, this matter was set for a status conference for defendant Clarence Courtney on March 9, 2023. By this stipulation, the parties now move to vacate the status conference and to set this case for a jury trial on March 11, 2024, at 9:00 a.m., and a Trial Confirmation Hearing on February 1, 2024, at 9:30 a.m., for defendant Courtney. The parties also move to exclude time between March 9, 2023, and March 11, 2024, under Local Code T4.

2. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes multiple reports and photographs. The discovery has been either produced directly to counsel and/or made available for inspection and copying.

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1 b) Counsel for the defendant has a state homicide trial through the end of May 2023
2 and another state prison assault trial scheduled for May 2023. He will be out of the state on
3 vacation from September 9-17, 2023, and from December 4-12, 2023.

4 c) Counsel for the defendant needs additional time to review the evidence, conduct
5 independent factual investigation, interview potential witnesses, meet with his client regarding
6 trial strategy, assess pre-trial motions, research legal trial and sentencing issues, and otherwise
7 prepare for trial.

8 d) Counsel for the defendant believes that failure to grant the above-requested
9 continuance would deny him the reasonable time necessary for effective preparation, taking into
10 account the exercise of due diligence.

11 e) The government does not object to the continuance.

12 f) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of March 9, 2023 to March 11, 2024
17 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
18 because it results from a continuance granted by the Court at defendant's request on the basis of
19 the Court's finding that the ends of justice served by taking such action outweigh the best interest
20 of the public and the defendant in a speedy trial.

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3. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: March 7, 2023

PHILLIP A. TALBERT
United States Attorney

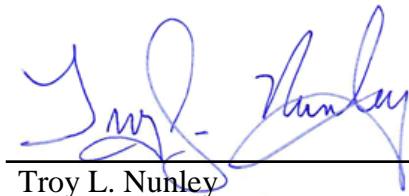
/s/ CAMERON L. DESMOND
CAMERON L. DESMOND
Assistant United States Attorney

Dated: March 7, 2023

/s/ Michael Long
Michael Long
Counsel for Defendant
Clarence Courtney

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 7th day of March, 2023.



Troy L. Nunley
United States District Judge